

**Wendy Holton**  
**Attorney at Law**  
211 5<sup>th</sup> Avenue  
Helena, MT 59601  
(406) 443-4829

**Brendan McQuillan**  
**Montana Innocence Project**  
P.O. Box 7607  
Missoula, Montana 59807  
(406) 243-6698

Attorneys for Petitioner Watson

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

**UNITED STATES OF AMERICA,**

**Case No. 06-45-GF-SEH**

**Plaintiff,**

**v.**

**MOTION FOR DNA TESTING  
PURSUANT TO 18 U.S.C. § 3600.**

**BILL TYRONE JAMES  
DESCHARM WATSON,**

**Defendant.**

Comes now, Bill Tyrone James Descharm Watson, by and through undersigned counsel, to move the Court, pursuant 18 U.S.C. § 3600, to order DNA testing of the physical evidence, including the vaginal swabs, underwear, shorts, and hair samples collected in the course of examining J.M.B. for an alleged sexual assault. The Innocence Project has funding to pay for the testing. This Motion is supported by

the Brief in Support filed herewith.

Pursuant to local rule CR 12.2 Counsel has contacted Lori Suek, Assistant U.S. Attorney regarding the position of the United States. She stated:

“The United States must object at this stage because it appears that the Motion is untimely and the United States is unsure whether the Defendant has satisfied the requirements for excusing the untimely filing. Additionally, the United States is unsure at this stage whether the Defendant has satisfied the ten statutory requirements necessary for the Court to consider this Motion and further research is necessary before it can respond.”

Respectfully submitted February 14, 2013.

/s/Wendy Holton  
WENDY HOLTON  
Attorney at Law  
Attorney for Defendant Watson